

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 26, 2001

D035600 Laguardia v. Tamura

The appeal is dismissed. Work, J.; We Concur: Kremer, P.J., Haller, J.

D037056 In re Richardson Trust

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Pursuant to the stipulation of the parties, the costs of the appeal are not awarded to any party, but are to be split between the parties according to the settlement agreement.

D036746 Lively et al. v. Adams et al.

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

D036598 Ralphs v. Blockbuster, Inc.

The appeal is dismissed.

D036019 People v. Andrade

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D034349 People v. Meza

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D036019 People v. Andrade

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D037490 Dennstedt v. Southwestern College District

The appellant having failed to timely pay the filing fee, the appeal is dismissed.

D037436 In re Ray Francisco C. et al., Juveniles

The attorney for petitioner Ray Antonio C. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D036495 People v. Gucyski

The petition for rehearing is denied.

D036484 Protomark, Inc., v. Armstrong Petroleum Corporation et al.

The judgment is reversed. We remand the matter and order the court to enter judgment in Protomark's favor and determine Protomark's entitlement to costs and prejudgment interest. Each party shall bear their own costs on appeal.

D035523 People v. Alvarado

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 26, 2001 (Continued)

D035317 In re Marriage of Sanchez

The order is reversed. The matter is remanded and the superior court directed to conduct further proceedings if necessary and make appropriate findings under sections 4056, 4320 and 3653, should it elect not to apply the latter section's retroactivity provision. The parties shall bear their own costs on appeal. O'Rourke, J.; We Concur: Huffman, Acting P.J., Nares, J.

D034535/D035725 Swain et al. v. Harris et al.

(Consolidated) The judgment is affirmed. Respondents to recover their costs of appeal. Benke, J.; We Concur: Kremer, P.J., Haller, J.

D035692 Hall v. Titan Power, Inc.

The judgment is reversed. Huffman, J.; We Concur: Kremer, P.J., Benke, J.

D036791 In re Shaine L. et al., Juveniles

The judgment is affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., McDonald, J.

D036701 In re D.R., a Juvenile

The judgment is affirmed. Nares, J.; We Concur: Benke, Acting P.J., McDonald, J.

D037232 Nguyen v. Superior Court of San Diego County/Klein-Frenk

The petition is denied.

D037007 Albrecht v. Pacifica West Capital Corporation et al.

The appeal is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 27, 2001

D036928 Arisman v. Speck

The appeal is dismissed.

D037538 Mazon et al. v. Continental Abrasives

The appeal is dismissed.

D036868 Summit Financial Holdings, LTD. v. Continental Lawyers Title Company

The judgment is reversed. Appellant shall recover costs on appeal. CERTIFIED FOR PUBLICATION.
McDonald, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D036676 In re Purtle on Habeas Corpus

The petition is denied.

D035248 Kline v. Turner et al.

The judgment is affirmed. Respondents to recover costs on appeal. CERTIFIED FOR PUBLICATION.
Benke, Acting P.J.; I Concur: O'Rourke, J.; I Respectfully dissent: McIntyre, J.

D037495 Rudolf Wolff & Co. LTD v. Superior Court of San Diego County/National Metals Inc.

The petition is denied. Real party's request for sanctions is denied.

D036813 Palosaari et al. v. Sukoff

The judgment is reversed. Cost are awarded to Palosaari. McIntyre, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

D036531 Hull v. Hull et al.

The request for publication of the opinion is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 28, 2001

D036801 McCann v. MTM Corporation

The judgment is affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., McDonald, J.

D033847 People v. Slovik

The petition for rehearing is denied.

D036802 In re Marriage of Martin

The judgment is reversed in part and affirmed in part. The portions of the judgment modifying the parties' stipulated parenting plan, and ordering that each party shall bear his or her own day care expenses incident to the custodial time, are reversed. Our decision in this matter thus effectively reinstates the original parenting plan to which the parties stipulated following the pretrial mediation. Any petition or motion by either party to modify the parenting plan in this matter shall be brought before the trial court with sufficient notice to accord the other party an opportunity to be meaningfully heard. The matter is remanded, and any further proceedings shall be held before another trial judge. In all other respects, the judgment is affirmed. The parties shall bear their own costs on appeal. Nares, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D036371 People v. Watson

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D037508 Loretta H., v. Superior Court of San Diego County

The attorney for petitioner Loretta H. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D032347 Alberts et al. v. Franklin et al.

D034874 Alberts et al. v. Ferrigno et al.

As to the Albertses' causes of action for intentional and negligent infliction of emotional distress, and their defamation cause of action against Ferrigno, the orders are reversed and the matter is remanded with directions that the superior court strike those causes of action under section 425.16. As to the Albertses' remaining claims, the orders are affirmed. The order awarding sanctions against Franklin is reversed. Each party is to bear its own costs on appeal. O'Rourke, J.; We Concur: Work, Acting P.J., Haller, J.

D037246 In re Pittman on Habeas Corpus

The petition is denied.

D034731 People v. Romero et al.

The sentence as to Lawyer is modified to strike the alleged prison priors. The superior court is directed to modify the abstract of judgment accordingly and forward an amended abstract to the Department of Corrections. In all other respects the judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Benke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 28, 2001 (Continued)

D036845 McKellar v. Workers Compensation Appeals Board/Regents of the University of California

The petition is denied.

D035958 In re Marriage of Snyder

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Haller, J.

D035891 Currie v. City of San Diego et al.

The summary judgment and dismissal orders are affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

D037583 Trinidad v. Superior Court of San Diego County/Donovan State Prison

The petition is denied. The request for appointment of counsel is denied.

D034662 Anton v. Olson et al.

The opinion filed March 21, 2001, is modified. The petition for rehearing is denied. No change in judgment.

D034485 Full-Swing, Inc., et al. v. Bair et al.

It is ordered that the opinion filed March 7, 2001, is modified. There is no change in judgment. The petition for rehearing is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 29, 2001

D036489 Sehgal v. PAI Investments et al.

The appeal is dismissed. Benke, Acting P.J.; We Concur: Haller, J., McDonald, J.

D036849 Trice v. Orange County Sheriff-Coroner Department et al.

The judgment is affirmed. Department is entitled to costs on appeal. Benke, J.;
We Concur: Kremer, P.J., Huffman, J.

D036968 In re Marriage of Devoe

The appeal is dismissed.

D036107 Barker v. Brown & Williamson Tobacco Corporation

The judgment is affirmed. Each side to bear their own costs. CERTIFIED FOR PUBLICATION.
Kremer, P.J.; We Concur: Haller, J., McDonald, J.

D037653 Circle K Stores, Inc. v. Manuel Espinoza

The petition is denied.

D037089 In re Chaker on Habeas Corpus

The petition is denied.

D036974 In re MacIver on Habeas Corpus

On or before April 12, 2001, the Attorney General is to submit an informal response limited to the issues raised in petitioner's augmentation motion filed December 26, 2000. The petitioner may file a reply within 14 days from the date the informal response is filed.

COURT OF APPEAL OF STATE OF CALIFORNIA
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March 30, 2001

D037526 In re Speck on Habeas Corpus

The petition is denied.

D036857 Republic Leasing Company v. Dimension Funding, Inc.

The judgment is affirmed. Republic is awarded costs on appeal. Haller, J.;
We Concur: Nares, Acting P.J., McIntyre, J.

D036658 In re Trevor R., a Juvenile

The order is affirmed. Benke, Acting P.J.; We Concur: Nares, J., McIntyre, J.

D036839 Foreclosure Consultants, Inc. v. Arizona Public Service Company

The judgment is affirmed. Respondent shall recover costs on appeal. Nares, Acting P.J.;
We Concur: McDonald, J., McIntyre, J.

D036217 People v. Bryant

Judgment affirmed. Work, J.; We Concur: Kremer, P.J., Huffman, J.

D037353 In re the Marriage of Fanghella

No docketing statement and copy of a judgment having been filed with this court, the appeal is
DISMISSED.

**D036955 Maria F. v. Superior Court of Imperial County/Imperial County Department of
Social Services**

The petition is denied. McDonald, J.; We Concur: Benke, Acting P.J., Nares, J.

D037009 In re Johnson on Habeas Corpus

The petition is denied.